

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: EAST PALESTINE TRAIN  
DERAILMENT

)  
) CASE NO. 4:23CV0242  
)  
) JUDGE BENITA Y. PEARSON  
)  
) **ORDER**  
) [Resolving [ECF No. 614-3](#)]

Pending is Objecting Settlement Class Member Rev. Joseph Sheely's Motion for Leave to File Memorandum of Law in Excess of 15 Pages ([ECF No. 614-3](#)), which was filed contemporaneously with his 18-page Memorandum of Law in Opposition to Plaintiffs' Motion for an Order Requiring Objector Rev. Joseph Sheely to Post an Appeal Bond ([ECF No. 614-1](#)).

[LR 7.1\(f\)](#) provides, in pertinent part: "Without prior approval of the Judicial Officer for good cause shown, . . . [m]emoranda relating to all other motions must not exceed fifteen (15) pages in length. . . ." The Case Management Plan provides, in relevant part: "The Court will strictly enforce provisions regarding length of memoranda filed in support of motions. See [LR 7.1\(f\)](#). Motions for relief from the length restrictions must show good cause for such relief and must be made sufficiently in advance to permit the Court to rule and the Clerk's Office to issue the ruling. *Motions for relief from length restrictions which are filed contemporaneously with the memorandum exceeding the page limits will be denied.*" [ECF No. 98 at PageID #: 1170-71](#) (emphasis added).

The Court finds that [ECF No. 614-1](#) violates the Case Management Plan ([ECF No. 98](#)), as well as the letter and spirit of [LR 7.1\(f\)](#).

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Accordingly, Objecting Settlement Class Member Rev. Joseph Sheely's Motion for Leave to File Memorandum of Law in Excess of 15 Pages ([ECF No. 614-3](#)) is denied. [ECF No. 614-1](#) is stricken from the file pursuant to [Fed. R. Civ. P. 12\(f\)](#). However, Objecting Settlement Class Member Rev. Joseph Sheely is granted leave until October 16, 2024 at 4:30 PM EDT to file a Corrected Memorandum of Law in Opposition to Plaintiffs' Motion for an Order Requiring Objector Rev. Joseph Sheely to Post an Appeal Bond. The Corrected Memorandum of Law in Opposition shall not exceed 15 pages.

All printed matter (including footnotes) must appear in at least 12 point type on pages not exceeding 8 1/2 by 11 inches and type matter not exceeding 6 1/2 by 9 1/2 inches. Lines of typewritten text shall be double spaced.

IT IS SO ORDERED.

October 15, 2024  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge